

FILED

AUG 31 1993

HOWARD HANSON
MARIN COUNTY CLERK
by P. Fan, Deputy

1 MICHAEL WALTON
2 P.O. Box 751
3 San Anselmo, CA 94979
4 (415) 456-7920
5 In Propria Persona

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 FOR THE COUNTY OF MARIN

8 CHURCH OF SCIENTOLOGY)
9 INTERNATIONAL, a California)
10 not-for-profit religious)
11 corporation,)
12)
13 Plaintiff,)
14)
15 vs.)
16)
17 GERALD ARMSTRONG; MICHAEL)
18 WALTON; THE GERALD ARMSTRONG)
19 CORPORATION, a California for)
20 profit corporation; DOES 1)
21 through 100, inclusive,)
22)
23 Defendants.)
24)

CASE NO. 157 680

MICHAEL WALTON'S EX PARTE
APPLICATION FOR EXTENSION
OF TIME TO RESPOND TO COMPLAINT;
DECLARATION OF MICHAEL WALTON;
PROPOSED ORDER THEREON

Date: August 31, 1993
Time: 1:30 P.M.
Dept: One
Trial Date: None Set

25 TO: CHURCH OF SCIENTOLOGY INTERNATIONAL AND TO ITS ATTORNEYS OF
26 RECORD:

27 PLEASE TAKE NOTICE that on August 31, 1993, at 1:30 P.M., in
28 Department 1 of the above-entitled Court, located at the Hall of
29 Justice, Marin County Civic Center, San Rafael, California,
30 defendant MICHAEL WALTON, representing himself, will seek ex-parte
31 orders allowing him an extension of thirty (30) days to respond to
32 the complaint herein. This ex-parte application is based upon the
33 ground that defendant Walton has not yet been able to obtain
34 counsel in this matter. The legal basis for the instant application
35 includes, but is not limited to, C.C.P. Section 1054 (a), C.R.C.
36 379, and Local Rule 2.10.

37 This ex-parte application is based upon this notice, the

1 attached Declaration of Michael Walton, the court's files and
2 records in this case and such other material as is presented in
3 support of the application.

4 Dated: August 31, 1993

5 MICHAEL WALTON, Defendant Pro Per

1 DECLARATION OF MICHAEL L. WALTON

2 I, Michael Walton, declare under penalty of perjury under the
3 laws of the State of California that the following recitation is
4 true and correct.

5 (1) Declarant is a defendant in this lawsuit and was served
6 with summons & complaint on the evening of August 1, 1993,
7 therefore the date for response is August 31, 1993. From the
8 morning of August 5, 1993 through the evening of August 21, 1993,
9 Declarant was either in Europe or en route thereto and therefrom.

10 (2) During the eight working days that declarant has had to
11 attempt to obtain counsel to represent him in this action, he has
12 been unsuccessful. Declarant has sought the representation of a
13 number of qualified attorneys. Upon hearing that the plaintiff in
14 the action is a Scientology corporation, each attorney has either
15 flatly declined to become involved or required a retainer fee of
16 such magnitude as to preclude Declarant from retaining them.

17 (3) Before leaving for England, Declarant submitted a claim to
18 his insurance carrier tendering the defense in this matter. As of

1 the date of this declaration, Declarant has not been notified of
2 the insurer's decision.

3 (4) Declarant needs more time in which to try and locate
4 competent counsel to represent him and therefore respectfully
5 requests and additional thirty days in which to respond to the
6 complaint.

7 (5) Declarant has given notice of the time, place and reason
8 for the present application for ex-parte order to counsel for
9 plaintiff in the following manner:

10 (a) By telephone conversation on August 31, 1993 at 9:30 A.M.
11 with Attorney Ryan of Wilson, Ryan & Campilongo. Mr. Ryan
12 acknowledged the notice.

13 The facts hereinabove recited are personally known to
14 declarant and if called upon to testify, declarant could and would
15 competently do so.

16 Dated: August 30, 1993

17 Place: San Anselmo, CA

18
19

Michael L. Walton

